

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	<u>PATENT APPLICATION</u>
Inventor(s):	Dean Bernard Jacobs et al.
Appln. No.:	09/975,590
Confirm. No.:	8686
Filed:	October 11, 2001
Title:	DATA REPLICATION PROTOCOL
	Art Unit: 2157
	Examiner: Ramy M. Osman
	Customer No. 23910

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.

This statement should be considered because:

37 C.F.R. §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

(1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (*check at least one of the following*) --

(1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
 (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

Fee Authorization. The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: January 9, 2008

By: /Joseph P. O'Malley/
Joseph P. O'Malley
Reg. No. 36,226

FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone (415) 362-3800